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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68143

Susumu MARUO , et al.

Appln. No.: 10/031,409

Group Art Unit: 1615

Confirmation No.: 2146

Examiner: Humera N. Sheikh

Filed: January 18, 2002

For: OINTMENT APPLICATOR AND OINTMENT PATCH USING THE SAME

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Handwritten signature of Fang Liu

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 18, 2004



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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

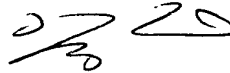
INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/031,409

Attorney Docket: Q68143

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

AUG 18 2004

Complete if Known

Application Number	10/031,409
Confirmation Number	2146
Filing Date	January 18, 2002
First Named Inventor	Susumu MARUO
Art Unit	1615
Examiner Name	Humera N. Sheikh
Attorney Docket Number	Q68143

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
		US			
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		US			
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		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		EP	1177786	A	02-06-2002	TEIJIN LTD	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		DATABASE WPI Section Ch, Week 198307 Derwent Publications Ltd., London, GB; Class A96, AN 1983-15774K XP002280271 & JP 58 000913 A (NITTO ELECTRIC IND CO) 6 January 1983 (1983-01-06).	
		DATABASE WPI Section Ch, Week 199134 Derwent Publications Ltd., London, GB; Class A96, AN 1991-248685 XP002280272 & JP 03 161432 A (LION CORP) 11 July 1991 (1991-07-11).	
		DATABASE WPI Section Ch, Week 199134 Derwent Publications Ltd., London, GB; Class A96, AN 1991-248686 XP002280273 & JP 03 161433 A (LION CORP) 11 July 1991 (1991-07-11).	
		DATABASE WPI Section Ch, Week 198938 Derwent Publications Ltd., London, GB; Class A11, AN 1989-273363 XP002280274 & JP 01 197434 A (SS PHARMACEUTICAL KK) 9 August 1989 (1989-08-09).	
		Copy of European Search Report dated June 2, 2004.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.